Remarks

In response to the Office Action mailed on March 21, 2011, Applicants respectfully request reconsideration in view of the following remarks. In the present application, claims 1 and 50-52 have been amended for clarification. Support for the amended claims may be found at least on page 27, lines 11-25 in the Specification. No new matter has been added.

In the Office Action, claims 1, 43-47, 49-52, 60, 62, 63 and 65-67 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Hofmann et al. (US 7,328,216, hereinafter "Hofmann") in view of Cerrato (US 7,092,926). Claims 61 and 64 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Hofmann in view of alleged admitted prior art.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1, 43-47, 49-52, 60, 62, 63 and 65-67 are rejected as being as being allegedly unpatentable over Hofmann in view of Cerrato. The rejection of these claims is respectfully traversed.

Amended independent claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "using, by the computer, an affinity-day part algorithm to generate the plurality of user input pattern profiles by detecting user affinity types and time of day input data, the user affinity types and time of day input data each being represented in an affinity sub-profile, the affinity types corresponding to at least one of a television station, a programming genre, a language, and a movie," and "assigning, by the computer, a weight to the generated plurality of user input pattern profiles, the assigned weight being greater than a weight associated with a plurality of existing user input pattern profiles, by applying a decay factor to the plurality of existing user input pattern profiles." Amended independent claims 50-52 recite

similar features. Support for the aforementioned amendments may be found at least on page 27, lines 11-25 in the Specification.

Hofmann discusses the personalized filtering of information and the automated generation of user-specific recommendations. User data may be gathered explicitly through questionnaires, etc. or can be implied through observing user behavior such as Internet history logs, demographic information, or any other relevant sources of information. Document data can be gathered through a variety of methods including Internet crawling, topic taxonomies or any other relevant source of information. User profiles are processed through a profiler module to provide the user related information, such as transaction data, click stream data, download, demographic information, etc. A collaborative filtering module performs two functions: 1) it analyzes the current user's historical profile; and 2) it analyzes other users' historical profiles. Preferably both profile analyses are used in combination with the learned semantic associations and computed probabilities to provide improved predictions or recommendations lists. A server platform provides intelligent retrieval of information and incorporates user information from a user profile and from collaborative filtering into the search. From these functions, personalized search results, automatic categorization of documents, email and text sorting and recommendations can be provided. (See col. 2, lines 32-38 and col. 17, lines 5-56).

Hofmann however, fails to teach, disclose or suggest using an affinity-day part algorithm to generate the plurality of user input pattern profiles by detecting user affinity types and time of day input data. In contrast, Hofmann merely discusses the generation of recommended lists of items and personalized search result lists, as well as the processing of user profiles through a profiler module to provide transaction data, click stream data, download, demographic information, etc. (See Abstract and columns 8, 17 and 18.) It is respectfully submitted that the

generation of item lists and personalized search results discussed in Hofmann is not the same as generating user input pattern profiles since the aforementioned discussion of Hofmann does not utilize the detection of both user affinity types and time of day input data. It is further respectfully submitted that the processing of user profiles discussed in Hofmann is not the same as the generation of user input pattern profiles since user profile processing presumes the use of existing profiles. Moreover, Hofmann is silent with respect to affinity sub-profiles, affinity types corresponding to at least one of a television station, a programming genre, a language, and a movie, and the assigning of weights to the generated user input pattern profiles by applying a decay factor to existing profiles.

It is respectfully submitted that Cerrato fails to overcome the deficiencies of Hofmann. For example, Cerrato discusses identifying a user of a terminal device utilizing a database containing multiple user input pattern profiles of prior user inputs to the terminal device, detecting current input patterns and dynamically matching the current input patterns with one of the user input pattern profiles. (See col. 1, lines 45-58.) Cerrato however, is silent with respect to the generation of user input pattern profiles as recited in amended independent claim 1. In particular, Cerrato appears to be only directed to detecting the use of user input pattern profiles and thus fails to disclose generating user input pattern profiles using the affinity-day part algorithm in the manner recited in amended independent claim 1. Cerrato is also silent with respect to assigning a weight to generated user input pattern profiles by applying a decay factor to existing user input patter profiles.

The combination of Hofmann and Cerrato would not have led to the claimed invention because these references fail to at least teach, disclose or suggest "using, by the computer, an affinity-day part algorithm to generate the plurality of user input pattern profiles by detecting

user affinity types and time of day input data, the user affinity types and time of day input data each being represented in an affinity sub-profile, the affinity types corresponding to at least one of a television station, a programming genre, a language, and a movie," and "assigning, by the computer, a weight to the generated plurality of user input pattern profiles, the assigned weight being greater than a weight associated with a plurality of existing user input pattern profiles, by applying a decay factor to the plurality of existing user input pattern profiles." Accordingly, independent claims 1 and 50-52 patentably distinguish the claimed invention over the cited reference, and Applicants respectfully request withdrawal of the current rejection of these claims. Dependent claims 43-47, 49, 60, 62, 63 and 65-67 also patentably distinguish the claimed invention over Hofmann at least for the reasons described above regarding amended independent claims 1 and 52 by virtue of their dependencies upon the aforementioned claims. Accordingly, Applicants respectfully request withdrawal of the current rejection of these dependent claims.

Claim Rejections - 35 U.S.C. §103(a)

Claims 61 and 64 are rejected as being as being allegedly unpatentable over Hofmann in view of alleged admitted prior art by the Applicant. The rejection of these claims is respectfully traversed.

Dependent claims 61 and 64 depend from amended independent claim 52 and thus recite at least the same features. As discussed above, amended independent claim 52 patentably distinguishes the claimed invention over Hofmann because Hofmann fails to teach, disclose or suggest at least "...an affinity-day part algorithm by detecting user affinity types and time of day input data, the user affinity types and time of day input data each being represented in an affinity sub-profile, the affinity types corresponding to at least one of a television station, a programming genre, a language, and a movie" and "means for assigning a weight to the generated plurality of

user input pattern profiles, the assigned weight being greater than a weight associated with a plurality of existing user input." Accordingly, dependent claims 61 and 64 also patentably distinguish the claimed invention over Hofmann for at least the same reasons. In the Office Action, it is alleged that applicant's admitted prior art teaches the collection of data using a television set top box over a nodal television distribution network. However, it is respectfully submitted that the aforementioned alleged admitted prior art fails to disclose the above-mentioned recitations of amended independent claim 52. Therefore, Applicants respectfully request withdrawal of the current rejection of these claims.

Conclusion

The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. Thus, the claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

In view of the foregoing remarks, Applicants respectfully submit that the claimed invention embodiments, as amended, are neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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